

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

| | | |
|--------------------------|---|---------------------|
| DAVID B. CASSELL | : | CIVIL ACTION |
| | : | |
| v. | : | NO. 20-305 |
| | : | |
| HOMELAND SECURITY | : | |

ORDER

AND NOW, this 29th day of January 2020, upon considering Plaintiff David B. Cassell's Motion to proceed *in forma pauperis* (ECF No. 1), *pro se* Complaint (ECF Doc. No. 2) and Motion (ECF Doc. No. 3), and for reasons in the accompanying Memorandum, it is **ORDERED**:

1. Mr. Cassell's Motion for leave to proceed *in forma pauperis* (ECF Doc. No. 1) is **GRANTED**;

2. Mr. Cassell's Complaint is **DISMISSED without prejudice** under 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim;

3. Mr. Cassell is given leave to file an amended complaint naming the person or persons responsible for an alleged violation of his rights, consistent with the accompanying Memorandum, no later than **February 28, 2020**. An amended complaint shall identify all defendants in the caption of the amended complaint and shall state the basis for his claims against each Defendant. Upon the filing of an amended complaint, the Clerk shall not make service until further Order;

4. The Clerk of Court is **DIRECTED** to provide Mr. Cassell with a blank copy of this Court's current form complaint for a plaintiff filing a prisoner civil rights action. He may use this form to file his amended complaint;

5. If Mr. Cassell fails to comply with this Order, his case may be dismissed for failure to prosecute without further notice; and,

6. Mr. Cassell's Motion (ECF Doc. No. 3) is **DENIED as moot.**



KEARNEY, J.